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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	
Xiao CHEN, et al.	)	Art Unit: 2125
	)	
Application No.: 09/616,457	)	Examiner: Sheela S. Rao
	)	
Filed: July 14, 2000	)	
	)	
For: METHOD FOR PROVIDING A PROCESS MODEL FOR A MATERIAL IN A MANUFACTURING PROCESS	)	
	)	
Attorney Docket No.: 99-464	)	

Peoria, Illinois

September 27, 2004

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

I. INTRODUCTION

An Office action was issued on March 26, 2004 ("the Office action"). In response thereto, and in accordance with the practice outlined in 37 C.F.R. §§ 1.111 and 1.112, applicants submit the following remarks and respectfully request that the application be reconsidered.

II. Brief Summary of the Pending Claims

When the Office action was issued, claims 1-16 were pending in the application. The Office action rejected claims 1-16 under 35 U.S.C. § 103(a).

No amendments to the claims are made herein. Thus, claims 1-16 remain pending in the application.

III. Requirement for Information Under 37 C.F.R. § 1.105

The Office action set forth a requirement under 37 C.F.R. § 1.105 to provide certain information. Information responding to this requirement is listed on the accompanying Information Disclosure Statement.

IV. Traversal of the Rejection of Claims 1-16 Under 35 U.S.C. § 103(a)

Claims 1-16 stand rejected under 35 U.S.C. § 103(a) for allegedly being obvious in view of U.S. Patent No. 6,061,640 to Tanaka et al. ("the Tanaka patent"). This rejection is incorrect because the Tanaka patent does not establish a prima facie case that the inventions of these claims are obvious.

Claims 1, 8, and 13 are the independent claims. Each of claims 1, 8, and 13 recites receiving stress and distortion information for a material from a previous manufacturing process, and determining updated stress and distortion information from a process model where the updated stress and distortion information is a function of the information from the previous process and a present process.

The Tanaka patent is directed to using regression analyses to determine which factors in a manufacturing process contribute to product defects. The Tanaka patent does not discuss stress and distortion information, receiving stress and distortion information for a material from a previous manufacturing process, or determining updated stress and distortion information from a process model where the updated stress and distortion information is a function of the information from the previous process and a present process.

The Office Action states that it would have been obvious to use the methods of the Tanaka patent in any manufacturing environment. This explanation fails to address the limitations of the claims that are not present in the Tanaka patent. For example, the Tanaka patent does not discuss receiving stress and distortion information for a material from a previous manufacturing process, or determining updated stress and distortion information

from a process model. The Office action does not explain why these limitations would be obvious in view of the Tanaka patent.

Therefore, the Office action has failed to set forth a prima facie case of obviousness. For at least this reason, the rejection of claims 1-16 under 35 U.S.C. § 103(a) is incorrect and should be withdrawn.

V. Conclusion

The Office action set a shortened statutory three month period for reply expiring on June 26, 2004. A petition for extension of time under 37 C.F.R. § 1.136(a) accompanies this response. The petition requests a three month extension of the period for reply from June 26, 2004 to September 27, 2004 (because September 26, 2004, falls on a Sunday). The fees for the extension of time should be withdrawn from the undersigned's deposit account no. 03-1129.

If any issues remain to be resolved before this application can be allowed, the examiner is invited and encouraged to contact the undersigned for a telephone conference and an expeditious resolution.

Respectfully submitted,

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